

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

PRATYUSH KOHLI, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

FULL TRUCK ALLIANCE CO. LTD., PETER  
HUI ZHANG, SIMON CHONG CAI,  
SHANSHAN GUO, GUIZHEN MA,  
WENJIAN DAI, RICHARD WEIDONG JI,  
JENNIFER XINZHE LI, COLLEEN A. DE  
VRIES, COGENCY GLOBAL, INC.,  
MORGAN STANLEY & CO. LLC, CHINA  
INTERNATIONAL CAPITAL  
CORPORATION HONG KONG SECURITIES  
LIMITED, GOLDMAN SACHS (ASIA)  
L.L.C., UBS SECURITIES LLC, HUATAI  
SECURITIES (USA), INC., CITIGROUP  
GLOBAL MARKETS INC., NOMURA  
SECURITIES INTERNATIONAL, INC.,  
CHINA RENAISSANCE SECURITIES  
(HONG KONG) LIMITED, AND CLSA  
LIMITED,

Defendants.

Case No. 1:21-cv-03903-LDH-MMH

**STIPULATION AND [PROPOSED] ORDER OF VOLUNTARY DISMISSAL**

WHEREAS, this is a putative class action brought under the federal securities law (the “Federal Action”);

WHEREAS, by order dated July 1, 2022, Plaintiff Pratyush Kohli was appointed to serve as lead plaintiff (the “Lead Plaintiff”) in the Federal Action, and The Rosen Law Firm, P.A. as lead counsel in the Federal Action (Dkt. 11);

WHEREAS, Lead Plaintiff Pratyush Kohli and named plaintiff Shivtaj Zirvi (collectively the “Plaintiffs”) filed the operative Amended Complaint on November 1, 2022 (Dkt. 36);

WHEREAS, a related putative class action, captioned *In re Full Truck Alliance Co. Ltd. Sec. Litig.*, No. 654232/2021 (Sup Ct. N.Y. Cnty.) (the “State Action”), asserts substantially similar claims as are asserted in the Federal Action;

WHEREAS, in September 2023, Plaintiffs and the plaintiffs in the State Action jointly participated in mediation efforts with Defendants<sup>1</sup> to reach a global settlement that would resolve all claims asserted in both the Federal Action and the State Action, which efforts were conducted under the auspices of David Murphy, Esq. of Phillips ADR Enterprises (the “Mediator”), a highly experienced, independent mediator;

WHEREAS, following arms-length negotiations, the parties reached a global settlement in principle of the Federal Action and the State Action on a class-wide basis (the “Settlement”) and have agreed to seek judicial approval of the proposed global Settlement in the State Court, where the first of the cases asserting substantially similar claims against the Defendants was filed, under the procedures for obtaining such approvals provided for under the New York Civil Practice Law and Rules;

WHEREAS, as part of the proposed Settlement, Plaintiffs and all Defendants that have appeared in the Federal Action shall submit for filing in the Federal Court a stipulation of voluntary

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<sup>1</sup> Defendants are Full Truck Alliance Co. Ltd. (“FTA”), Peter Hui Zhang, Simon Chong Cai, Shanshan Guo, Guizhen Ma, Wenjian Dai, Richard Weidong Ji, and Jennifer Xinzhe Li, Colleen A. De Vries, Cogency Global Inc., Morgan Stanley & Co. LLC, China International Capital Corporation Hong Kong Securities Limited, Goldman Sachs (Asia) L.L.C., UBS Securities LLC, Huatai Securities (USA), Inc., Citigroup Global Markets Inc., Nomura Securities International, Inc., China Renaissance Securities (Hong Kong) Limited, and CLSA Limited.

Defendants that have appeared in the Federal Action are Full Truck Alliance Co. Ltd., Colleen A. De Vries, Cogency Global Inc., Morgan Stanley & Co. LLC, China International Capital Corporation Hong Kong Securities Limited, Goldman Sachs (Asia) L.L.C., UBS Securities LLC, Huatai Securities (USA), Inc., Citigroup Global Markets Inc., and Nomura Securities International, Inc.

dismissal, with prejudice, within five (5) business days of entry of the Final Judgment in the State Action;

WHEREAS, Fed. R. Civ. P. 41(a)(1)(A)(ii) provides that “the plaintiff may dismiss an action without a court order by filing ... (ii) a stipulation of dismissal signed by all parties who have appeared;” and

WHEREAS, no class has been certified in this Federal Action, or is proposed to be certified in the Federal Action as part of the proposed Settlement, and accordingly, Fed. R. Civ. P. 23(e) does not impact Plaintiffs’ ability to file this stipulation of voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii);

IT IS THEREFORE STIPULATED AND AGREED, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), by and on behalf of all the parties to this Federal Action who have appeared, by their undersigned counsel, that this Federal Action is voluntarily dismissed subject to the following conditions:

1. This dismissal shall be without prejudice, and without costs;
2. Upon the Effective Date (as defined in the stipulation of settlement) of the Settlement, this dismissal shall automatically be converted to a dismissal “with prejudice,” and operate as an adjudication on the merits;
3. In the event that the Effective Date does not occur, Defendants consent to entry of an order, upon motion by Plaintiffs (including pursuant to Fed. R. Civ. P. 60(b)(6)), to reinstate this Federal Action, with all parties returning to their respective litigation positions in this Federal Action as of the date of the stipulation of the settlement.

Dated: September 9, 2024

Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

By: /s/ Phillip Kim  
Phillip Kim  
Laurence M. Rosen  
275 Madison Ave., 40th Floor  
New York, NY 10016  
Telephone: (212) 686-1060  
Emails: pkim@rosenlegal.com  
lrosen@rosenlegal.com

Jing Chen  
101 Greenwood Avenue, Suite 440  
Jenkintown, PA 19046  
Telephone: (215) 600-2817  
Email: jchen@rosenlegal.com

*Lead Counsel for Plaintiffs and the Class*

**LEVI & KORSINSKY, LLP**

By: /s/ Nicholas I. Porritt  
Nicholas I. Porritt  
Andrew E. Lencyk  
Max E. Weiss  
55 Broadway, #427  
New York, NY 10006  
Telephone: (212) 363-7500  
Emails: nporritt@zlk.com  
alencyk@zlk.com  
mweiss@zlk.com

*Co-Counsel for Plaintiffs and the Class*

**SIMPSON THACHER & BARTLETT LLP**

By: /s/ George S. Wang  
George S. Wang  
425 Lexington Avenue  
New York, New York 10017-3954  
Telephone: (212) 455-2000  
Email: gwang@stblaw.com

Bo Bryan Jin  
2475 Hanover Street  
Palo Alto, CA 94304  
Telephone: (650) 251-5068  
Email: bryan.jin@stblaw.com

*Counsel for Defendant Full Truck Alliance Co. Ltd.*

**O'MELVENY & MYERS LLP**

By: /s/ Jonathan Rosenberg  
Jonathan Rosenberg  
Abby F. Rudzin  
7 Times Square  
New York, NY 10036  
Telephone: (212) 326-2000  
Emails: jrosenberg@omm.com  
arudzin@omm.com

William K. Pao (*pro hac vice* forthcoming)  
400 South Hope Street  
Los Angeles, CA 90071  
Telephone: (213) 430-6000  
Email: wpao@omm.com

*Counsel for Defendants Morgan Stanley & Co. LLC, China International Capital Corporation Hong Kong Securities Limited, Goldman Sachs (Asia) L.L.C., UBS Securities LLC, Huatai Securities (USA), Inc., Citigroup Global Markets Inc., and Nomura Securities International, Inc.*

**K&L GATES LLP**

By: /s/ Joanna A Diakos  
Joanna A Diakos  
599 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 536-3900  
Email: Joanna.DiakosKordalis@klgates.com

*Counsel for Defendants Cogency Global Inc. and Colleen A. De Vries*

**SO ORDERED:**

DATED: \_\_\_\_\_

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LaShann DeArcy Hall  
United States District Judge